

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

FIDELITY SECURITY LIFE  
INSURANCE COMPANY,

Plaintiff,

v.

MARIE ELIZABETH CANTU, as  
beneficiary of the life insurance policy  
for Timothy David Cantu,

Defendant.

MARIE ELIZABETH CANTU, as  
beneficiary of the life insurance policy  
for Timothy David Cantu,

Counter Claimant,

v.

FIDELITY SECURITY LIFE  
INSURANCE COMPANY,

Counter Defendant.

CASE NO. 2:22-cv-1482

ORDER GRANTING STIPULATED  
MOTION TO CONTINUE TRIAL  
DATE AND RELATED DEADLINES

This matter comes before the Court on the parties' stipulated motion to continue the trial date and related deadlines. Dkt. No. 43. The parties argue good cause exists to continue the trial date because they need additional time beyond

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December 26, 2023, to complete discovery and because their cross motions for summary judgment remain pending before the Court. *Id.* at 2. The parties claim that a continuance will not cause prejudice and serves “the interests of judicial efficiency . . . because the outcome of the motions will likely affect the scale and/or scope of discovery for both sides.” *Id.* This is the parties’ first request to continue the trial date. *See* Dkt.

Under Fed. R. Civ. P. 16(b)(4), a scheduling order “may be modified only for good cause and with the judge’s consent.” Good cause exists if the pretrial schedule “cannot reasonably be met despite the diligence of the party seeking the extension.” Fed. R. Civ. P. 16(b) advisory committee’s note to 1983 amendment.

Considering the parties’ pending motions and the fact that this is their first extension, the Court finds good cause to modify the case schedule and GRANTS the parties’ stipulated motion to extend the trial and related dates as set forth below:

JURY TRIAL begins	October 21, 2024
Length of trial	5 days
Disclosure of expert testimony under Fed. R. Civ. P. 26(a)(2)	March 25, 2024
Disclosure of rebuttal expert testimony under Fed. R. Civ. P. 26(a)(2)	within 30 days after the other party’s expert disclosure
All motions related to discovery must be filed by ( <i>see</i> LCR 7(d))	April 24, 2024
Discovery completed by	May 24, 2024
All dispositive motions and motions challenging expert witness testimony must be filed by	June 24, 2024

(see LCR 7(d))

Settlement conference under LCR 39.1, if August 22, 2024  
requested by the parties, held no later than

All motions in limine must be filed by September 11, 2024  
(see LCR 7(d))

Deposition Designations must be submitted to September 30, 2024  
the Court by (see LCR 32(e))

Agreed pretrial order due September 30, 2024

Trial briefs, proposed voir dire questions, and October 7, 2024  
proposed jury instructions must be filed by

Pretrial conference October 14, 2024

Dated this 22nd day of December, 2023.



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Jamal N. Whitehead  
United States District Judge